

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Home Department – De-notification of seized movable and immovable properties standing in the names of Sri K.P.V.Subbaiah borrower of Charminar Co-operative Urban Bank Limited, Hyderabad, his family members and others from the attachment orders issued under section 3 of the Andhra Pradesh Protection of Depositors of Financial Establishments Act, 1999 (Andhra Pradesh Act No.17 of 1999) – Orders – Issued.

HOME (GENERAL. B) DEPARTMENT

G.O.Ms.No. 204

Dated.04-12-2012

Read the following:-

1. G.O.Ms.No.112, Home (Genl.B) Department, dt.22-04-2002.
2. G.O.Ms.No.118, Home (Genl.B) Department, dt.27-06-2005.
3. G.O.Ms.No.175, Home (Genl.B) Department, dt.17-06-2002.
4. G.O.Ms.No.199, Home (Genl.B) Department, dt.08-07-2002.
5. G.O.Ms.No.200, Home (Genl.B) Department, dt.08-07-2002.
6. G.O.Ms.No.207, Home (Genl.B) Department, dt.19-07-2002.
7. G.O.Ms.No.244, Home (Genl.B) Department, dt.12-08-2002.
8. The Hon'ble High Court of A.P., judgment dt.06-07-2010 in Crl. Revision Case No.630 of 2009.
9. The Hon'ble High Court of A.P., judgment dt.6-7-2010 in Crl. Petition No.10995 of 2009.
10. The Court of the I Addl. Metropolitan Sessions Judge, Hyderabad, order dated 11-01-2012 in Crl.M.P.No.655/2010 in Crl.M.P.No.582/2002 in CC.No.6/2002.
11. The Court of the I Additional Metropolitan Sessions Judge, Hyderabad, order dated 09-01-2012 in Crl. M.P.No.633/2010 in Crl.M.P.No.614/2002 in CC.No.6/2002.
12. The Court of the I Addl. Metropolitan Sessions Judge, Hyderabad, order dated 09-01-2012 in Crl. M.P.No.657/2010 in Crl.M.P.No.618/2002 in CC No.6/2002.
13. The Court of the I Addl. Metropolitan Sessions Judge, Hyderabad, order dated 24-01-2012 in Crl.M.P.No.658/2010 in Crl.M.P.No.922/2002 in CC No.6/2002.
14. The Court of the I Addl. Metropolitan Sessions Judge, Hyderabad order dated 09-01-2012 in Crl.M.P.No.656/2010 in Crl.M.P.No.946/2002 in CC No.6/2002.
15. The Court of the I Addl. Metropolitan Sessions Judge, Hyderabad, order dated 11-01-2012 in Crl.M.P.No.659/2010 in Crl.M.P.No.1023/2002 in CC No.6/2002.
16. From the Addl. Director General of Police, CID, Hyderabad Letter C.No.6555/C-12/CID/2002, dated 25-07-2012.

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ORDER:

Whereas, in the G.Os 1st to 7th read above, orders were issued passing an ad-interim order under section 3 of the Andhra Pradesh Protection of Depositors of Financial Establishments Act, 1999 (Andhra Pradesh Act No.17 of 1999) for attachment of the movable and immovable properties standing in the names of Sri K.P.V.Subbaiah borrower of Charminar Co-operative Urban Bank Limited, Hyderabad, his family members and others and directed the Additional Director General of Police, Crime Investigation Department, Andhra Pradesh, Hyderabad / Competent Authority and the Commissioner of Police, Hyderabad / Competent Authority to take necessary steps as per the said Act;

(PTO)

2. And whereas, in the order 8<sup>th</sup> read above, the Hon'ble High Court of Andhra Pradesh in their judgment dated 6-7-2010 in Criminal Revision Case No.630 of 2009 while allowing the said Criminal Revision case set aside the impugned order of the trial court i.e., judgment in Criminal M.P.No.980 of 2008 in C.C.No.6 of 2002 on the file of the Court of the I Additional Metropolitan Sessions Judge, Hyderabad, wherein the prosecution filed an application for withdrawal of the case against the petitioner on the basis of orders issued in G.O.Rt.No.1713, Law (L.A. & J. Home. Courts.B) Department, dated 15-09-2008 and discharged the petitioner from all the accusations and held that there is no need to proceed further with the prosecution against the petitioner;

3. And whereas, in the order 9<sup>th</sup> read above, the Hon'ble High Court of Andhra Pradesh in their judgment dated 06-07-2010 in Criminal Petition No.10995 of 2009 has quashed the proceedings pending in Cr.No.6 of 2002 on the file of the Court of the I Additional Metropolitan Sessions Judge, Hyderabad as far as the petitioners therein are concerned, in the light of orders issued in G.O.Rt.No.288, the Law (L.A.&J. Home. Courts. B) Department, dated 20-02-2009 wherein orders were passed for withdrawal of the case pending against the petitioners;

4. And whereas, in the order 10<sup>th</sup> read above, the Court of the I Additional Metropolitan Sessions Judge, Hyderabad in its order dated 11-01-2012 in Criminal M.P.No.655/2010 in Criminal M.P.No.582/2002 in CC.No.6/2002 on the file of the said Court filed to release the properties mentioned in G.O.Ms.No.112, Home (General.B) Department, dated 22-04-2002 from attachment, while allowing the petition partly and the ad-interim attachment order passed in G.O.Ms.No.112, Home (General.B) Department, dated 22-04-2002, released/raised the properties with respect of the properties except serial Nos.37 standing in the name of the accused Nos.38 and 39 i.e. lands in Survey Nos.97,98,162,163 and 166 noted in the said G.O. In the said order, the petition so far as it relates to the properties in Serial No.37 in the Annexure attached to the G.O. Ms. No. 112, Home (General. B) Department, dated 22-04-2002 was dismissed;

5. And whereas, in the order 11<sup>th</sup> read above, the Court of the I Additional Metropolitan Sessions Judge, Hyderabad in its order dated 09-01-2012 in Criminal M.P.No.633/2010 in Criminal M.P. No.614/2002 in CC.No.6/2002 on the file of the said Court, has allowed the petition filed to release the properties mentioned in G.O. Ms. No. 118, Home (General.B) Department, dated 30-04-2002 from attachment;

6. And whereas, in the order 12<sup>th</sup> read above, the Court of the I Additional Metropolitan Sessions Judge, Hyderabad in its order dated 09-01-2012 in Criminal M.P.No.657/2010 in Criminal M.P. No.618/2002 in CC No.6/2002 on the file of the said Court, while allowing the petition, released /raised the properties mentioned in G.O.Ms.No.175, Home (General.B) Department, dated 17-06-2002 from attachment;

7. And whereas, in the order 13<sup>th</sup> read above, the Court of the I Additional Metropolitan Sessions Judge, Hyderabad in its order dated 24-01-2012 in Criminal M.P.No.658/2010 in Criminal M.P.No.922/2002 in CC No.6/2002 on the file of the said Court, while allowing the petition, released/raised the properties mentioned in G.O.Ms.Nos.199 and 200, Home (General. B) Department, dated 08-07-2002 from attachment;

(Contd...3)

8. And whereas, in the order 14<sup>th</sup> read above, the Court of the I Additional Metropolitan Sessions Judge, Hyderabad in its order dated 09-01-2012 in Criminal M.P.No.656/2010 in CrI.M.P.No.946/2002 in CC No.6/2002 on the file of the said Court, while allowing the petition, released /raised the properties mentioned in G.O.Ms.No.207, Home (General.B) Department, dated 19-07-2002 from attachment.

9. And whereas, in the order 15<sup>th</sup> read above, the Court of the I Additional Metropolitan Sessions Judge, Hyderabad in its order dated 11-01-2012 in Criminal M.P.No.659/2010 in Criminal M.P. No.1023/2002 in CC No.6/2002 on the file of the said Court, while allowing the petition, released/raised the properties mentioned in G.O.Ms.No.244, Home (General.B) Department, dated 12-08-2002 from attachment;

10. **And whereas, regarding the properties in Serial No.37 in the Annexure attached to the G.O.Ms.No.112, Home (Genl.B) Department, dated 22-04-2002, the landed properties standing in the names of the accused Nos.38 and 39 i.e., lands in Survey Nos.97,98,162,163 and 166 noted in the said G.O. was dismissed by the Court of the I Additional Metropolitan Sessions Judge, Hyderabad, in its order dated 11-01-2012 in Criminal M.P. No.655/2010 in CrI.M.P.No.582/2002 in CC.No.6/2002, hence, the said properties cannot be released;**

11. And whereas, in the letter 16<sup>th</sup> read above, the Additional Director General of Police, Crime Investigation Department, Andhra Pradesh, Hyderabad / Competent Authority has requested the Government to issue orders for de-notification of the properties ordered for attachment vide G.O's 1<sup>st</sup> to 7<sup>th</sup> read above.

12. Now, therefore, in exercise of the powers conferred by section 3 of the Andhra Pradesh Protection of Depositors of Financial Establishments Act, 1999 (Andhra Pradesh Act No.17 of 1999), read with Section 15 of the Andhra Pradesh General Clauses Act, 1891 (Act No 1 of 1891) and in the circumstances reported by the Additional Director General of Police, Crime Investigation Department, Andhra Pradesh, Hyderabad/ Competent Authority and keeping in view the orders of the Hon'ble High Court of Andhra Pradesh and the Court of the I Additional Metropolitan Sessions Judge, Hyderabad, **the Government, after careful examination of the matter hereby de-notify the seized movable and immovable properties standing in the names of Sri K.P.V.Subbaiah borrower of Charminar Co-operative Urban Bank Limited, Hyderabad, his family members and others from the attachment orders issued vide G.Os.1<sup>st</sup> to 7<sup>th</sup> read above except the properties in serial No.37 in the annexure attached to the G.O.Ms.No.112, Home (General.B) Department, dated 22-04-2002, which stands in the names of the accused Nos. 38 and 39 i.e. lands in survey Nos.97,98,162,163 and 166 noted in the said G.O.**

13. The Additional Director General of Police, Crime Investigation Department, Andhra Pradesh, Hyderabad / Competent Authority and the Commissioner of Police, Hyderabad / Competent Authority are requested to take necessary action, accordingly.

(PTO)

14. Copy of this order is available on Internet and can be accessed at website <http://www.ap.gov.in/goir>.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M. CHAYA RATAN,  
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To  
The Additional Director General of Police,  
CID, A.P., Hyderabad / Competent Authority.  
The Commissioner of Police, Hyderabad / Competent Authority.

**Copy to:-**

The Director General and Inspector General of Police,  
Andhra Pradesh, Hyderabad.  
The concerned **through** the Addl. DGP, CID, A.P., Hyderabad.  
The O.S.D. to Hon'ble Minister for Home.  
The P.S. to Special Chief Secretary to Government, Home Department.  
The Law (F) Department.  
Sc/Sf.

//FORWARDED:BY ORDER//

SECTION OFFICER.